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July 19, 2004

By Hand Delivery

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

**Re: Ex Parte Notice in MB Docket No. 03-15 and
ET Docket Nos. 04-186 and 02-380**

Dear Ms. Dortch:

On July 16, 2004, David Donovan, President of the Association for Maximum Service Television, Inc. (MSTV), and Jack Goodman, Senior Vice President and General Counsel of National Association of Broadcasters (NAB), and the undersigned, counsel for MSTV, met with Commissioner Adelstein and his Legal Advisor, Johanna Shelton, to discuss the DTV biennial review proceeding and the FCC's proposal in that proceeding with respect to a "use-it-or-lose-it" maximization and replication deadline. MSTV and NAB raised concerns with respect to the impact the proposed policy would have on the DTV transition, ultimate DTV service, and smaller broadcasters and raised points included in their written comments to this proceeding.

Pursuant to Section 1.1206(b) of the Commission's Rules, an original and five copies of this letter (two for each docket) are being submitted to the Secretary's office, with a copy to those at the FCC who participated in the meetings.

Please direct any questions regarding this notice to the undersigned.

Respectfully submitted,


Jennifer A. Johnson

cc: Commissioner Adelstein
Johanna Shelton